B B

File No. 152

1904.

Collection No.

(27) P

Trichinopoly Residency

26/2/47

Pros. Serial Nos. 1 — 14

Subject.

Succession certificate to N.V. Chelwiengar, son of late V. Venkatachalaiengar

Previous References.	Later References.

S. 97. (Blue).

DCPP 6788&P—(3-1665)—10-3-30—1,00,000.

R. P. B.—11-1903.—1,000.

RESIDENT'S OFFICE

Office Note.

Application from N. V. Chelura Iyengar for Succession Certificate under Sech. 17 of Act VII of 1889

Applicant, as the step son of the deceased N. V. Gurudamma, applies for a certificate to enable him to recover certain fixed deposits in the name of the deceased, in the firms of Messrs. Arbuthnot & Co and Binny & Co at Madras amounting to Rs 10,500-

It is stated in the applicate that besides the applicant, there is the father and a brother of the deceased, as the nearest relatives of the deceased and no others

If approved, notices under Sechon (a) and (b) of the Act VII of 1889 may be given to the father and the brother of the

put up

decision and notice may be published in 3 successive issues of the Mysore Gazette fixing a day for hearing after the expiration — say 18th June 1904.

The applicant has made the deposit required under Section 4 (1) of the Act and has paid the necessary fee for publication in the Gazette.

M 14/4
20.4.04

20.4.04

M
20.4.04

B. P.B.—5-1904—1,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 152 of 1904

SC 41

Petition
~~Letter~~ No. dated 25th July 1904

from N. V. Chelvirayar, Thro' his Advocate Mr. Narasimha Iyengar

SUBJECT.

praying for permission to amend his petition for Succession Certificate in file No 152 of 04 as regards the amount for which Certificate is asked for and for the return of Rs 150 out of deposit of Rs 210-

As the amount of debt for the recovery of which the Certificate was asked for in petitioners final application is now reduced from Rs. 10500/ to Rs 3,000/ only, the value of Stamps required in the event of Certificate being granted, will be Rs 60/- at 2%. Petitioner has deposited Rs 210/- The difference Viz. Rs. 150 is no longer required and it may be returned to the petitioner's Advocate and he may be allowed to strike out clause (1) para 6 of his final application, — an acknowledgment be obtained for the amount returned.

SL 1

SC 1

1/8/04.

Rs. 150 amount returned to advocate Mr Narasimha Iyengar and a stamped receipt obtained & filed.

The case stands adjourned to 20th August 1904 (vide Sls. 9 & 10).

28. 7. 04

28/7

Rs.

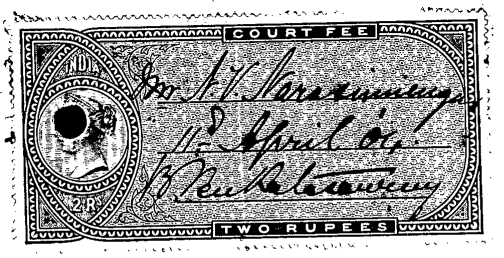
Yes.

29/7/04

The application has been amended by striking out the words "Rupees Ten thousand five hundred" and substituting therefor the words "Rupees three thousand only" and by striking out the words "Rupees two hundred and ten" and substituting therefor the words "Rupees sixty only".

Cashkeeper - Keep money in cash chest"

Received under 210 as stamp fee + Rs 5 for public cash



1

P.

Rs 11/4/04
Rec'd & K'pt in cash box.
RK
11/4/04.

RESIDENT'S OFFICE, BANGALORE.
Register No. 1850
Date of Receipt 11. 4. 1904
File No. 152/04

X put up

The Resident in Mysore.

File
Dis no 152 of 1904

petitioner:— N. V. Cheluvaiengar son of N. Venkatachaliengar, aged about 29. at present residing in Bangalore

Petition under Sec 17 of Act VII X of 1889.

The petitioner respectfully begs to Submit,

1. That N. V. Garudamma, the stepmother of the petitioner, lived and died in Bangalore city on or about 26th of February 1904.
2. That the deceased was the 2nd wife of the father of the petitioner, married in the approved form.
3. That the petitioner is the stepson of the deceased. That besides the petitioner, she had neither sons nor daughters. That her husband predeceased her.
4. That there are the following near relations of the deceased:—
   (1) the petitioner, her stepson
   (2) her father Bellary Rangachar
   (3) her brother B. Bhashyamiengar
   all residing in Bangalore.
5. That the petitioner is entitled to the estate

estate of the deceased, there being no nearer heirs.

6. That there ~~are two~~ is one fixed deposit in the name of the deceased; payable in Madras.

~~(1) for Rs 7500 in messrs Arbuthnot & Co. Madras.~~

(2) for Rs 3000 in messrs Binny & Co. Madras.

7. That the above deposits ~~are~~ is part of the Stridhan of the deceased, which the petitioner is entitled to collect.

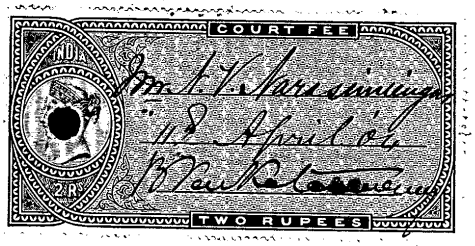
8. The petitioner therefore respectfully prays that this Honourable Court may be pleased to grant a certificate to the petitioner for the collection ~~of the~~ above deposits.

M. Chelvirayar

All the statements above is true to the best of my knowledge and as to matter stated on information I believe them to be true.

M. Chelvirayar

2



Sl 1/a

ಸೈದಿ ಅಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಕೋರ್ಟಿಗೆ.

ಸ್ಮ 1904 ನೇ ಇಸವಿ ಫೈಲ್ ನಂಬರು.

ಕಾಜಿ ಅಜ್ಜಕಾಶ. ಪ್ರತಿವಾದಿ.

ಎಚ್.ಎ. ಜೆಲುವೈಕಾಶ್

ಅಲ್ಲಿಗೆ ಹತ್ತಿರ ಎಚ್.ಎ. ಸಕಂಗೈಕಾಶ್ ರವರಿಗೆ.

ಅಜ್ಜಕಾಶ್ ಬರಿಸಿಕೊಟ್ಟ ವಕಾಲತ್ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ವಿವಾದಿಸಿ ಪೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗೆ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಶಿಲ್ಕು ವೊಬಲಗು ಡಿಕ್ರಿ ವೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗವುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ ಸದಾ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇಸ್ಪ ನಡಿಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ದನಾಗಿರುತ್ತೇನೆ.

ತಾರೀಖು ನೇ 190 ನೇ ಇಸವಿ } M. Narasimhaiya ಕೆ.ಜು

ಈ ವೊಕಾತ್ಯರ್ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ಥರು. ನನ್ನ ಸಮಕ್ಷನು ಇದಕ್ಕೆ ರುಜುವಾಡಿ ದ್ದಾರೆಯಾದ್ದರಿಂದ ನಾನು ಸರಟಿಫೈ ವೊಡಿದ್ದೇನೆ. M. Narasimhaiya adv.

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ. 11/4/04

M. Narasimhaiya adv. 11/4/04

ಈ ಫಾರಂ ಬೆಂಗಳೂರು ಶಿಟಿ ಚಿಕ್ಕಪೇಟೆ ಪಾಪ್ಕೀಪರ ಯೆಂ. ನೆಂಜುಂಡಪ್ಪನವ್ರಿ ದೊರಿಯುತ್ತೆ.

S. G. N. PRESS, COTTON PETTA BANGALORE—CITY.

4/3/04

2

Order No. 2213
Date of Receipt 4-5-04
File No. 152/1904

The Resident in Mysore

Civil Petition No. of
in Office is No 152/04
Petitioner :- N. V. Chelluvaraya.

memo on behalf of the petitioner.

1. B. Ranganna residing in Kothigey Lane Bangalore City.

2. B. Bhashyamiengar son of B. Ranganna, residing in Kothigey Lane Bangalore City.

Court fee stamps of the value of one rupee each annas are herewith produced for notices to the above two persons.

V. Narasimiengar.
adv. for petitioners
3/5/04

Pray that they may be directed by the same notices to produce the deposit receipts of Messrs Arbuthnot & Co and Binny & Co., standing in the name of the deceased N. V. Gurudamma, and all other papers connected with the said deposit-receipts

V. Narasimiengar
adv. for pet.

R. P. B.—3-04.—250.

3

1904.

FROM

Office

THE REGISTRAR OF THE ~~COURT~~ OF

THE RESIDENT IN MYSORE,

~~CIVIL & MILITARY STATION~~,

BANGALORE.

TO

THE Principal Munsiff

of Bangalore

Dated Bangalore 14th May 1904

Despatched — do —

Received

ENCLOSURE No. 3

General No. 2404 } 190 — 0

~~No.~~

Has the honor to forward herewith a notice in duplicate issued in this office file No 152 of 1904 and to request that the duplicates may be caused to be served on the individuals named in the margin and the original returned

* B. Ranga Iyengar
B. Bhashyam Iyengar
residing at Kotigay lane
Bangalore city

before the 15th June 1904
to this office with the
mode of Service duly
Endorsed thereon -

d/e

Registrar

13.5.04

Before the Hon'ble the Resident at Mysore

Notice of application for certificate under Act VII of 1889. Form No. 54, Civil.

~~In the Court of the District Judge, Civil and Military Station,~~ at Bangalore.

Application No. 152 of 1904 in file

In the matter of the estate of N. V. Garudamma *deceased.*

N. V. Cheluviengar *Applicant.*

WHEREAS N. V. Cheluviengar resident of Bangalore claiming to be the Step son of the said N. V. Garudamma deceased, has applied ~~to this Court~~ for a certificate under Act VII of 1889, to collect debts due to the estate of the said deceased, resident of Bangalore viz: the sum of Rs 10,500 deposited with messrs Arbuthnot & Co and Binny & Co at Madras under Section 17 of

NOTICE is hereby given of the said application; and all claimants in the estate of the said N. V. Garudamma deceased are invited to appear ~~in this Court~~ before the Hon'ble the Resident at Bangalore on the 18th day of June 1904, at 11 A. M., when the petition of the said N. V. Cheluviengar will be heard, and the right to the certificate determined.

GIVEN under my hand and the seal ~~of this Court~~ this 13 day of May 1904

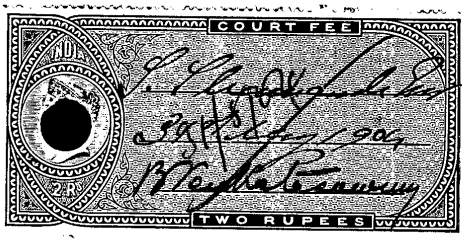
By order

~~District Judge.~~

Registrar

RESIDENT IN MYSORE AND CHIEF COMMISSIONER OF COORG

Residency Press, Bangalore.—4-5-99.—1,000.



Sl 5

2 Rs Stamp

Before Honourable the

IN THE ~~COURT OF~~ Resident in Mysore at Bangalore

Application in file no: 152 of 1904

No. of

In the matter of the estate of N.V. Garudanna ... dec^d.

N.V. Chelvisingar ..... Applicant

vs

B. Rangachariar ..... Counter-petitioner

Know all Men by these present that I B. Rangachariar

Counter-petitioner aforenamed

do hereby authorize and appoint S. SHAMANNA, B.A., LL. B. Esq., Gentleman an Advocate to be my true and lawful Attorney to appear in the above named Court and represent me as c^r pet^r in the above named petition and file all petitions, exhibits or other documents whatsoever in connection therewith, and also to apply for and receive from the said Court all such documents or copies of documents as he may deem necessary, and to apply for and issue all summonses, commissions or other writs or processes as may be needed or he may deem requisite, and to apply for and issue attachment and execution under any decree or other order that may be made in the said petition and to prosecute or defend any proceedings that may arise thereout, and to apply for and receive payment of all or any sums of money that may be decreed or awarded either as principal money, for costs, or otherwise, and to appear in and before the Judge or Judges or presiding officer of the said Court and to plead on my behalf in any matter touching or concerning the said matter, suit or application, or any proceeding in connection therewith, from time to time to set and appoint a substitute or substitutes, and with power to revoke such appointment or appointments, and generally to appear plead and act in all respects whether herein specified or not as may to my said Attorney or his substitutes seem proper or expedient. And I hereby ratify and confirm all and singular that my said Attorney or his substitute or substitutes shall lawfully do or procure to be done in and respecting the premises acknowledging the same to be done as fully and effectually as if I were personally present.

In Witness whereof I have hereunto set my hand this 25th day of May in the Christian year 1904.

B. Rangachariar

Accepted original Vakalat
25/5/04

857

190

From N. T. Gopalacharyar Esq BA LLB
Principal Dewan
Bangalore

To The Registrar of the Office of the
Resident in Mysore

Dated 7/6/04 Bangalore

Despatched

Received

General No. 1201

No. 904

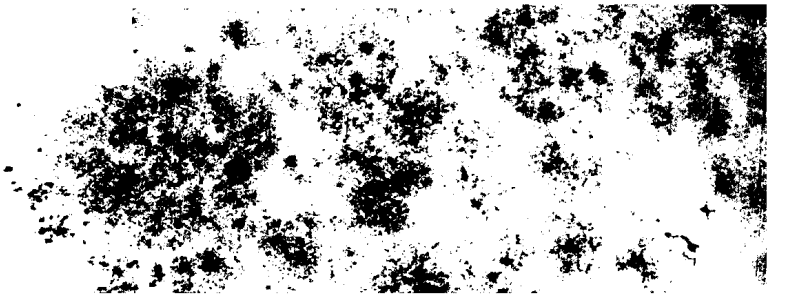
Enclosure No. /

His No: 2404 dated 14th May 1904 forwarding a notice for Service and return

With reference to the above, has the honor to return duly Served the notice in his office file No: 152 of 1904.

N. Gopalacharyar
Principal Dewan

RESIDENT'S OFFICE, BANGALORE.
Register No. 2715
Date of Receipt 8-6-04
File No. 152/1902



original

Notice of application for certificate under Act VII of 1889. Form No. 54, Civil.

Before the Hon'ble the Resident in Mysore at Bangalore

~~In the Court of the District Judge, Civil and Military Station, Bangalore~~

Application No. 152 of 1904 in file

In the matter of the estate of N. V. Garudamma *deceased.*

N. V. Chelluvirayar *Applicant.*

WHEREAS N. V. Chelluvirayar resident of Bangalore claiming to be the Sole Son of the said N. V. Garudamma deceased, has applied ~~to this Court~~ for a certificate under Act VII of 1889, to collect debts due to the estate of deceased, resident of Bangalore

viz the sum of Rs 10,500 deposited with Messrs Arbuthnot & Co and Binny & Co at Madras Section 17 of the said

NOTICE is hereby given of the said application; and all claimants in the estate of the said N. V. Garudamma deceased are invited to appear ~~in this Court~~ before the Hon'ble the Resident at Bangalore on the 18th day of June — 1904, at 11 A. M., when the petition of the said N. V. Chelluvirayar will be heard, and the right to the certificate determined.

Given under my hand and the seal ~~of this Court~~ this 13 day of May — 1904 By order

R. S. Tirumalai Ayyangar
~~District Judge.~~ Registrar

RESIDENT IN MYSORE AND CHIEF COMMISSIONER OF COORG

J. B. Ranga Ayyangar
" B. Krishnaiyangar residing at

Residency Press, Bangalore.—2-5-99—1,000.

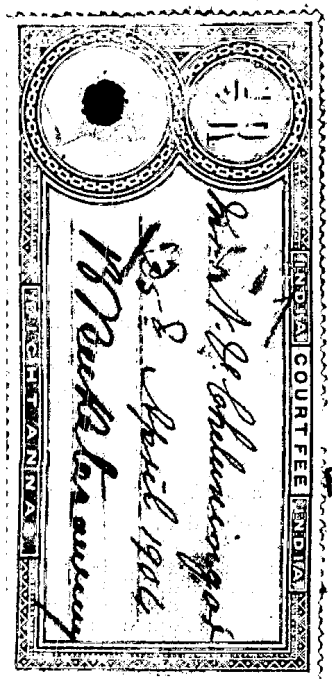
Kotigeyar Lane. Bangalore City.

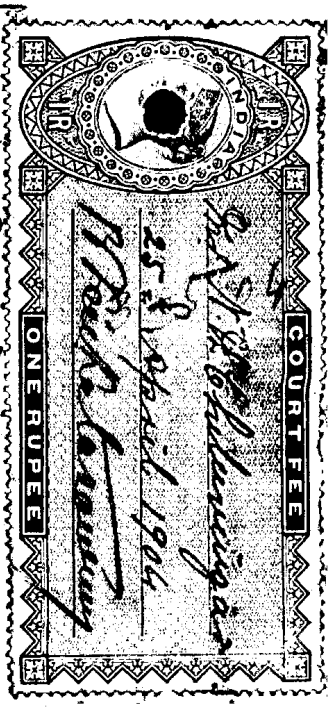
You are requested to produce the deposit receipts of Messrs Arbuthnot & Co and Binny & Co standing in the name of the deceased N. A Ganeshamma, and all other papers connected with the said deposit receipts.

6/14
2

28/5 — 1/6.

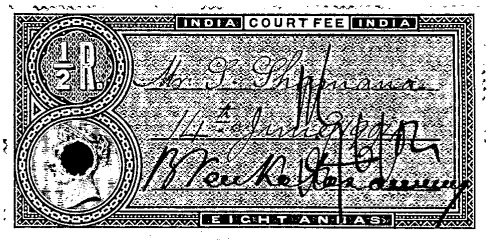
29/5/04.





30/5/04

Served personally
Seen & Before me
3/5/04



SC 8

Presented in Court on the 18th June 1904 M

BEFORE THE HONOURABLE THE RESIDENT IN MYSORE,

Application in R.O. File No. 152 of 1904.

In the matter of the Estate of N.V.Garudammal (deceased).

N.V.Chelviengar---------- Petitioner

versus

B.Rangacharier---------- -----Counter-petitioner

The counter-petitioner above-named respectfully begs to state as follows:-

1. That ~~my~~ his daughter the late Garudammal was married to the late N.Venkatachala Iyengar for the second time in the disapproved form- the Asura.

2. That the deceased Garudammal long prior to her death duly executed a will on the 11th December 1902 before she went on a pilgrimage to Rameswaram bequeathing all her Streedhan property left by her at the time of her death to this counter-petitioner subject to certain charitable and pious legacies. For better information the counter-petitioner craves leave to refer to the will at the hearing.

3. That both under the Hindu Law and the will aforesaid this counter-petitioner is the proper person entitled to the Estate of the deceased Garudammal and the petitioner herein has no right whatever thereto.

4. That this counter-petitioner, for better securing his title to the property of the deceased, has instructed his vakil at Madras to obtain ~~Letters of Administration~~ Probate under Act V of '81 in the High Court there in respect of all the property of the deceased.

5. That the deceased had no fixed deposits in her name with Messrs. Arbuthnot & Co of Madras at the time of her demise.

6. The counter-petitioner therefore prays:-

(a) that, pending the disposal of his application to the High

Court at Madras further proceedings upon this petition be stayed; or,

(b) that, if the Honourable the Resident thinks it fit under the circumstances above set forth to proceed with the enquiry, an adjournment be granted to this counter-petitioner to enable him to summon his witnesses and let in evidence as to his right to the estate; and,

(c) that the petition herein be dismissed with costs.

Bangalore
18th June 1904

B Rungacharier
Counter-petitioner

Advocate for counter-petitioner

I, Bellary Rangacharier, the counter-petitioner above-named do hereby declare that what is stated above is true to my knowledge and belief except as to matters stated therein on information and belief, and that as to those matters I believe them to be true.

B Rungacharier

Sl 10

16-7-04

File No 152 of 1904

Mr. R. V. Narasimmiengar for the petitioner.
Mr. S. Shamanna for Counter-petitioner.

Mr. Shamanna reads a letter from the Vakil in charge of the probate application in Madras that it will be presented to the High Court of Madras shortly and applies for a short adjournment to which Counsel for petitioner has no objection.

Adjourned accordingly to 20th August 1904.

J. A. Bourdillon
Resident

August 26. 1904.

Mr R. V. Narasimha Iyengar. for petr.
Mr J. S. C. Lawrence (for Mr Shamanna)
for Counter petitioner.

Adjourned for a fortnight at the request of Counter petitioner, as Mr Shamanna is absent in Madras. Petitioner does not object.

A. P. Taylor
Ag

12

In the matter of the Estate of N. V. Garudachar

Received from the ~~Court~~ Office of the Hon'ble Resident in Mysore ~~Judicial Commissioner of Coorg~~

the sum of Rupees(150-0-0) one hundred and fifty

only leing ~~the unexpended balance~~ part of the amount

deposited on account of ~~printing charges~~ Stamps for Succession Certificate in ~~Civil Revision petition~~ File Appeal No. 152 of

1904 on the file of the said ~~Court~~ Office. directed to be returned

as per order dated 29th July 1904

BANGALORE.
Dated 1st August 1904.

M.N. Ramachandra Rao
Advocate for Petitioner

Proceedings of the Hon'ble the Resident in Mysore

Application in File No. 152 of 1904

Petitioner — R. V. Chelvirayar

Counter-Petitioner — V. B. Rangacharier

Application of the petitioner, R. V. Chelvirayar, for a certificate of succession to the estate of his step-mother, R. V. Garudamma, deceased, under Section 17 of Act VII of 1889.

On behalf of petitioner application is made for the withdrawal of the application and the refund of the stamp duty on the certificate applied for.

Granted.

A. L. P. Tucker

Sept. 3
1904